

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JEROME TREADWELL, III

Plaintiff(s)

vs.

MARC C. HOUK,

Defendant(s)

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Case Number: 1:02-cv-00579

Senior District Judge S. Arthur Spiegel

JUDGMENT IN A CIVIL CASE

Decision by Court: This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

. . . The Court ADOPTS IN ITS ENTIRETY the Magistrate Judge's Report and Recommendation (doc. 21), DENIES WITH PREJUDICE Petitioner's Petition for a Writ of Habeas Corpus (doc. 12) and FINDS that a certificate of appealability should not issue. Finally, the Court CERTIFIES pursuant to 28 U.S.C. § 1915(a)(3) that respect to any application by Petitioner to proceed on appeal in forma pauperis, an appeal of this Order would not be taken in "good faith" and therefore the Court DENIES Petitioner leave to appeal in forma pauperis.

3/7/06

James Bonini, Clerk

s/Kevin Moser

Kevin Moser
Deputy Clerk